

11 February 2025		ITEM: 8
Standards Committee		
Consultation on strengthening the standards and conduct framework for local authorities in England		
Wards and communities affected: N/A	Key Decision: No	
Report of: Helen Nicol, Assistant Director Legal & Governance		
Accountable Assistant Director: Helen Nicol, Assistant Director Legal & Governance		
Accountable Director: Daniel Fenwick, Executive Director Corporate Resources and Monitoring Officer		
This report is public		
Version: Final		

Executive Summary

The government has launched a consultation on introducing a mandatory minimum code of conduct for councillors of local authorities in England, and measures to strengthen the standards and conducts regime. The proposals include that local authorities should have the power to suspend councillors serious code of conduct breaches for a maximum of 6 months. The consultation closes at 11.59pm on 26 February 2025 and this report seeks the Standard Committees views on the proposals in order to shape the Council's response to the consultation.

Commissioner Comment:

N/A

1. Recommendation(s)

- 1.1 **Members of Standards Committee are requested to provide their comments on the proposed measures to introduce a mandatory minimum code of conduct for local authorities in England, and to strengthen the standards and conduct regime, to help shape the Council's response to the consultation.**

Version Control (delete as appropriate)

Version 1 - First draft ready for DMT, SLT and Commissioner input; **Version 2** - Second Draft ready for Portfolio Holder, Leader and other Member Input; **Version 3** - Third draft for any further comments; **Version Committee** – Draft ready for submission to public committee; **Version Cabinet** – Final version ready for Cabinet/Executive decision

2. Introduction and Background

- 2.1 The government's 'English Devolution White Paper – Power and Partnership: Foundations for Growth' was published on 16 December 2024. At paragraph 4.24, titled 'Audit, Insight and Standards' it states:

“The Localism Act 2011 established the current standards framework for local government. We believe the Act did not provide councils with sufficient powers to maintain high standards and have heard from local leaders who say it is ineffectual, inconsistently applied and lacking in adequate power to sanction the small number of members who seriously breach codes of conduct.....In response we will give the relevant authorities appropriate and proportionate means to deal with misconduct effectively and decisively when it does occur”.

- 2.2 On 18 December 2024, the government launched an open consultation on 'strengthening the standards and conduct framework for local authorities in England'. The consultation closes at 11.59pm on 26 February 2025. The full consultation document can be found here: [Strengthening the standards and conduct framework for local authorities in England - GOV.UK](#)

- 2.3 The consultation requests feedback on the proposals and asks specific questions of consultees. The relevant section of the consultation is set out in Appendix 1 for ease of reference and it is requested Standards Committee consider the proposals and questions at the meeting and provide their comments in response.

3. Issues, Options and Analysis of Options

- 3.1 This is an open consultation being conducted by the government, there is of course no obligation on the council to respond. However, there is an opportunity presented to help shape the changes that are proposed to the council standards regime, and as such it is recommended that a response to consultation is provided.

4. Reasons for Recommendation

- 4.1 See 3.1 above.

5. Consultation (including Overview and Scrutiny, if applicable)

- 5.1 N/A

6. Impact on corporate policies, priorities, performance and community impact

- 6.1 Improvement of culture and standards forms part of the council's Improvement and Recovery programme.

7. Implications

7.1 Financial

There are no financial implications of participating in a consultation exercise.

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7.2 Legal

Implications verified by: **Helen Nicol**
Assistant Director Legal and Governance

23 January 2025

The current standards regime is governed by Localism Act 2011 as set out in the body of the report. The government is proposing to legislate for the introduction of a mandatory minimum code of conduct, a requirement for authorities to constitute a formal standards committee, publication of investigation outcomes, and introducing the power of suspension of a councillor for serious breaches of the code of conduct. This is at consultation stage at the moment, and the purpose of this report is to obtain member feedback to shape the consultation response. Following the closure of the consultation, the position will need to be monitored for legislative changes made so that the council can respond and amend the constitution, processes and procedures accordingly.

7.3 Diversity and Equality

No diversity and equality implications arise from this report.

7.4 Risks

No risks arise from this report.

7.5 Other implications (where significant) – i.e. Staff, Health Inequalities, Sustainability, Crime and Disorder, or Impact on Looked After Children

N/A

8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

English Devolution White Paper: [English Devolution White Paper - GOV.UK](#)

9. Appendices to the report

- Appendix 1 – Proposals for consultation

Report Author:

Helen Nicol
Assistant Director Legal & Governance
Corporate Resources

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